The special committee of the New Jersey Senate in charge of the investigation of the insurance companies of that State, their methods of doing business, their relations with other financial concerns and the extent of the supervision exercised over their respective affairs by the State Department of Banking and Insurance, continued the hearing of witnesses yesterday in Newark, in the Chancery court chambers in the Prudential building. The committee consists of Senators Hillery, Wakeley and Minturn, they composing the Committee on Judiciary of the Senate. William H. Corbin, coursel to the committee; conducted the examination of witnesses, of whom three were heard. These were President Uzal H. McCarter of the Fidelity Trust Company of Newark, Ernest J. Heppenheimer, second vice-president and executive officer of the Colonial Insurance Company of Jersey City, and David P Fackler of New York, who for many years has been the actuary in charge of the investigations of insurance company affairs for the State Department of Banking and

Insuranc. It was made apparent by the committee that it does not propose to probe any further into the internal affairs of the three New Jersey companies—the Prudential, Mutual Benefit and Colonial-than the condition in which the reports of the State Department showed the three companies to be. The primary object of the inquiry is to ascertain if there is a necessity for a revision of the insurance laws of New Jersey, with possibly an act to limit the operations of such companies. It was announced at the close of the session yesterday that United States Senator John F. Dryden, president of the Prudential, will be made

President McCarter of the Fidelity gave the committee a history of the relations of his company with the Prudential. He declared in effect that the relations of the two concerns, while exceedingly friendly, have never been more than those which would naturally exist between a bank and its depositor. He admitted that the Fidelity holds 19,993 shares of Prudential stock, or seven shares less than one-half the entire issue. This stock, he said, was purchased at \$600 a share. The present quoted price of Prudential stock, he said, while there is little movement in it at any time, is about Mr. McCarter added that Fidelity stock is quoted at \$780. The company is in excellent condition, he said, paying annual dividends of 30 per cent. The company has done a total business of \$135,000,000, and the net sum of its losses on loans on collateral securities in all its career, he said, was \$72,000.

"The Prudential has reduced its deposits with your company from \$4,500,000 to \$1,500,-000, has it not?" asked Mr. Corbin. "That is true," admitted Mr. McCarter.

"That was the result, I believe, of some trouble with the Massachusetts Insurance Department, was it not?" "Mr. Dryden is going to appear as a wit-

ess here, I believe," replied Mr. McCarter, and I would prefer that he should answer The witness said that the Prudential and

Fidelity never appeared jointly as a bidder kind. Nor was the Fidelity ever interested as an institution with such features of the Prudential business. He admitted that the Fidelity had sold securities to the Prudential, but they were always those that had been secured by purchase in the open

Since the proposed merger of the Pru-dential and Fidelity had been enjoined by the Court of Chancery, in 1904, Mr. McCarter the Court of Chancery, in 1904, Mr. McCarter said, there has been no effort made to produce an alliance such as had been in contemplation at that time. He produced a copy of a resolution passed by the Fidelity directorate December 18, last, which gave to John F. Dryden, Forrest F. Dryden, Leslie D. Ward, Uzal H. McCarter and Thomas N. McCarter, and each of them, the power to vote as the representatives of the Fidelity at the meetings of the Prudential and to vote the stock of the Fidelity at elections and other events where the stock elections and other events where the stock of the Fidelity was entitled to full represen-

Ernest J. Heppenheimer, second vice-president and executive of cer of the Colo-nial Life of Jersey City, was called. "What is your capital stock?" he was Two hundred and fifty thousand dollars

issued and fully raid, with an authorized capital of \$400,000," he replied.

"Have you issued any part of the latter?"
"It is all being subscribed for at the present time, at the same rate, that is, \$400 for ent time, at the same rate, that is, \$400 for each par value share of \$100, and for the latest issue \$300,000 has been paid in."
"That means," said Mr. Corbin, 'that you have already paid in \$1,300,000 and will have paid in \$1,600,000 for your \$400,000 capital paid in \$1,600,000 for your \$400,000 capital stock when fully paid for. Is that correct?"

"It is."
"What are your assets at the present About \$709,000."

*How do you account for assets of only \$709,000 when you have paid in \$1,300,000?" asked Senator Wakelee.

"The balance of \$600,000 represents what

the company expended during the years we have been in business to secure new business and secure expenses, including "Is that the reason you have adopted the plan of paying \$100 for stock having a par value of \$100?"

siderable outlay during the early per The witness said that no salary

the president or first vice-president, \$1,500 a year each to himself as executive officer and to the secretary and treasurer and \$2,500 to the medical adviser. No other salaries are paid except to agents and in-

spectors.

The witness detailed the company's method of doing business. No industrial policy was issued on a life under two years and from that to eight years the limit was \$120 for ten cents a week. From eight years to sixty-five years the maximum for which any industrial policy was issued

"Why do you limit the amount on a child's life to \$120?" To minimize the possibility of specula do on life, which is contrary to the spirit of insurance.

Has speculation in life occurred?" "It has been suggested in many cases, and to prevent it only an amount sufficient to meet butial expenses is allowed."

"Where the child is young and delicate and the family very poor the temptation to collect the insurance might be strong. Is that the idea?"

"Yet weether are medo not insure among."

"Not exactly, as we do not insure among the very poor or in the slums. By that I mean those who could not afford to pay

a five cent premium, but might have d by a speculator." "What do you mean by very poor?"
"Where there is no income at all. A man who earns a dollar a day would be able to carry a policy, and it is that thrifty class which does carry industrial insurance."

"I see in your statement to the Armstrong committee an item of \$10.320 for legal expenses since 1897; what is that for?"
"Fees paid our counsel during the period for services performed."
"Did you have any legislative expenses?"
"None whatever."

Any money expended for political con-

"And your home office is in Hudson county," suggested Mr. Minturn.
"Yes, and Bob Davis, I see, is a director," emarked Chairman Hillery.
"Quite true in each instance," responded the witnesses."

"Was your advice heeded?" asked Mr.

"No further increase has been made

since then," he replied.

"Why did you advise against the increase?"

"Because it would be dangerous for "because it would be dangerous for political reasons, and because of the necessarily diversified centres of investment, which might be distributed in various parts of the world and difficult on that account to examine."

parts of the world and difficult on that account to examine."

Mr. Corbin referred to the growth of the Prudential company since 1860, reading from the reports to show that from 1880, when the assets amounted to \$188,000, they had grown to \$1,040,000 in 1885; to \$40,000,000 in 1890, to \$13,000,000 in 1895, to \$40,000,000 in 1900, and to \$107,000,000 in 1905. He asked Mr. Fackler if that was dangerous growth.

growth.

"Not necessarily so," replied the expert
"as long as the growth is a healthy one,
such as appears to be the case of the Prudential, and the investments are safe and there is an absence of extravagance."

The committee will resume its sitting at Newark at 10 o'clock to-morrow morning.

CALLED THE COPS HIMSELF. Burglar Sounds Alarm as He Enters Rear

Window of Fifth Ave. House. In attempting to enter a Fifth avenue house through a window, early yesterday morning, a burglar rang up a detective agency and got himself pinched. The ouse is 28 Fifth avenue, the home of Mrs. John C. Day. It is a three story and basement building between Ninth and Tenth streets. There were several burglaries in he neighborhood of Washington Square

last spring. The Wetherbee house, which was entered at that time, is near Mrs. Day's. Mrs. Day is away for the summer and an elaborate system of burglar alarms condetective agency. A nine foot wooden fence borders Tenth street in the rear of the home of Amos F. Enos, at 32 Fifth avenue. Another high fence separates the Enos back yard from the Bliss place, at 30

Ence back yard from the Bilss place, at 30 Fifth avenue.

The burglar scaled these two fences and gained the yard of the Day house, where he found a twelve foot ladder. Placing this against the ledge of a corner window, he mounted and pried open the window with a chisel and an improvised wooden jimmy. Then he pushed open the closed shutters on the inside of the window and thus sent in the alarm.

Two men from the detective agency answered the call and were joined by Patrolman Hall of the Mercer street station house, who had seen the man loitering about but had supposed he was an occupant of the better.

but had supposed he was an occupant of the house.

After leaving his shoes, coat and hat on a chair on the second floor, the burglar went downstairs to the dining room. At that moment the agency men entered. The burglar tried to get out through a window, but was caught and held until Hall entered and arrested him. He was taken upstairs to get the rest of his clothing and tried to slip the chisel and timber spike under a chair, but they were picked up and taken along.

At the station house the prisoner gave his name as Harry Williams, his age as 20 years and his occupation as coachman. He refused to give his exact address, but said he lived on Madison street, near Jefferson.

Jefferson.
Later in the morning Williams was arraigned in the Jefferson Market police

SAYS GILLETTE IS GUILTY.

District Attorney Declares Youth Deceived

and Murdered Girl. UTICA, N. Y., July 17.—District Attorney Ward and Deputy Sheriff Ingraham returned to Herkimer to-day from Big Moose and adjacent places in the Adirondacks, where they have been since the arrest last Saturday of Chester Gillette of Cortland, who is held for the murder of his sweetheart, Miss Grace Brown of South Otselic. They have been around the route travelled by Gillette after the tragedy, collecting here and there pleces of evidence. They remained to find he tennis racquet with which, perhaps. Gillette struck Grace Brown over the eye, and the umbrella which Gillette said he had

and the umbrella which Gillette said he had thrown away in the woods because he did not want to carry it.

"I am averse to talking much about this case," said District Attorney Ward this afternoon, "but you will be perfectly safe in saying that we have got this fellow pat and that there is no chance of his breaking the

ing that we have got this fellow pat and that there is no chance of his breaking the chain of evidence we have built around him the past three days. Gillette deceived and murdered this girl, and I shall prove it."

James H. Higby, Justice of the Peace at Big Moose, before whom Gillette was arraigned, is in Herkimer to-night. He helped to remove the body of Grace Brown from the water at the time it was raised into the boat blood ran from the wound over the eye. This is the wound which the surgeons agree rendered the girl senseless before she was dumped overboard. Up to to-night none of Gillette's relatives had reached Herkimer, nor have the authorities received any word as to their intentions. The prisoner is without counsel. Apparently he has regained his composure, for he is now able to sleep and eat fairly well.

PUSHED INTO HOT VAT? Story of Jealousy That Is Said to Have Culminated in Crime.

Ignatz Bernatez was arraigned in the Long Island City police court yesterday on complaint of Benjamin Morris. Morris either fell, or, as he alleges, was pushed into a vat of scalding water at the Nichols Chemical Company at Laurel Hill on June 22. He lives in Clinton avenue, Maspeth. Bernatez lives at 25 Greenpoint avenue. Blissville. Both men worked in the plant and it is alleged both men are in love with

the same girl. The young woman is named Strebensk and she lives at Maspeth. Bad feeling had existed between the men for some time. Morris is said to have made the best impression on the girl. He took her to a dance a few nights before the occurrence at the chemical works. Bernatez says that Morris fell in accidentally, and that he is trying to blame him for his own

It seems certain that when Morris fell into It seems certain that when Morris fell into the vat he was engaged in a heated altercation with Bernatez. Morris went over backward into the scalding vat, which was fortunately not deep. His right arm and side were fearfully burned. With the help of others in the place he managed to get out of the vat. He at once pointed to Bernatez and said he pushed him into the vat. Bernatez was glad to be placed under

to Bernatez and said he pushed him into the vat. Bernatez was glad to be placed under arrest to escape the wrath of the workmen in the place. Morris was taken to St. John's Hospital suffering intense agony. He was unable to leave that institution until Mon-

unable to leave that institution until Mon-day, when he made a formal complaint of felonious assault.

Bernatez asked vesterday that the case be adjourned until Friday, and this was

PASTEURIZE ALL THE MILK!

THAT'S THE ONLY REMEDY, NA-THAN STRAUS DECLARES.

Under Present Conditions the Mortality Among Children Is Appalling-Sterillzation Process Is Quick and Thorough and Should Not Increase the Cost.

In spite of all the cafeguards that are thrown around the milk supply coming into this city the death rate among young children from diseases directly attributable to germ polluted milk remains as high as ever. According to the figures recently presented in the monthly bulletin of the State Board of Health, the city of New York, with a population of about one-half the Commonwealth, showed a percentage of 76.2 of the total deaths of children between the ages of 1 and 5 years for the month of May. Allowing for the mortality due to bad surroundings, impure air and the generally bad conditions of life in the congested quarters, a large margin of deaths over other localities still remains which can be attributed to nothing except the polluted

milk that is sold in this city. "There is but one remedy for this terrible state of affairs," said Nathan Straus yesterday, "and that is to pasteurize every drop of milk that comes into the city. Experience has shown that in a city like this no adequate system of supervision can be devised that will prevent the sale of germ laden milk. If it were possible to get a supply of pure milk at all times here I would not advocate pasteurized milk, but a long investigation of the subject has convinced me that there is no such thing as keeping the milk supply of the city free from germs in any other way.

Mr. Straus said that stations for the treatment of milk would have to be established in various parts of the city, but that that was merely a detail. For years he has been selling at cost pasteurized milk to the people of the crowded districts with splendid results, and his experience has led him to believe that there would be no practical difficulties in the way of treating all milk coming into the metropolis. The process is simple and the time consumed in rendering the milk perfectly safe for infants without taking away any of its nutritious qualities is companitively short.

According to the Health Department's monthly bulletin the figures show that the mortality in this city for May for children from one to five years old was three and a quarter times as large as among a like population in the rest of New York State, the record being 921 in the city and 287 in the rest of the Commonwealth. The explanation seems to be in the large number of deaths here from diseases due to germ polluted milk, as these figures show:

Deaths Rest of Pneumonia..... 1,039
Diarrhœa and digestive allments..... 518

These records are not confined entirely to children, but they show that the death rate from measles was in the city four times as great as in the rest of the State, from diphtheria and croup three and a half times as great, from tuberculosis nearly twice as large, from pneumonia, two and one-half times as large, and from intestinal troubles, nearly five times as large. This condition of affairs is largely due to the fact that the milk in the outside districts is drunk sooner after it comes from the cow than here, thus consume to microles. escaping a long exposure to microbes.

That is one of the principal reasons why
Mr. Straus is so strongly in favor of pasteurizing all the milk coming into the city.

"Milk is the one article of food in which

"Milk is the one article of food in which disease and death may lurk without giving any suspicion from its taste, smell or appearance," says Mr. Straus. "If the pasteurizing of the entire milk supply were made a function of the municipality it would be an exceedingly clever business investment, for the money expended would be refrom a practical, commercial standpoint, besides which from a humanitarian point of view the amount of suffering and disease that would be prevented is incalculable.

"Thousands of infants' lives are need-

"Thousands of infants' lives are needlessly sacrificed every year by impure milk. No system of milk test or examination now in operation or capable of being generally applied is sufficient to protect the lives of young children against the noxious germs present in a large portion of the milk delivered in its natural state in cities.

"This state of affairs was brought to my attention in 1892. After making a thorough examination of the subject and taking counsel with physicians at home and some who were accepted as authorities in Europe I began to experiment as to what could be done to bring absolutely pure milk and milk fitted for infant consumption within the reach of those who needed it, particularly the poor. I found medical testimony absolutely unanimous as to the requirements of perfect sterilization (pasteurization) for all milk intended for food in cities." ments of perfect sterilization (pasteuriza-tion) for all milk intended for food in cities."

Mr. Straus has made it possible for the poor to purchase milk for four cents a quart with which goes an unwritten guarantee that it is safe food for the sick child, the delicate woman and the convalescent. The milk companies which produce pasteurized milk for distribution among their customers get the regulation price of eight cents a

get the regulation price of eight cents a quart and at that it is far safer than the milk in bulk or that in bottles furnished in the ordinary way.

Analysis of pasteurized milk put through the machine when the whole process from cow to bottle is only two minutes will show a reduction of bacteria from 5,000,000 at the start to less than 50,000 at the finish. start to less than 50,000 at the finish. A good machine kills 99 per cent. of the bacteria and practically all of the disease

germs.

According to Joseph H. Adams, who has written much on the subject, 1.500,000 quarts of milk are consumed in this city every day, half from cans and half from bottles. It is estimated that besides other sediments and impurities this milk contains 600 pounds of cow manure. In some other cities the conditions are worse. Of the 800,000 quarts of bottled milk consumed here daily but 8,000 quarts are certified.

At least 250,000 cows are necessary to supply New York city alone, and some of the milk travels 350 miles. The Health Board regulations have improved the supply Board regulations have improved the supply of milk by forcing producers to ship it under

LAWYER TURK'S CASE BOBS UP Information to a Newspaper Resumed.

The complaint made by James L. Quackabush, head of the legal department of the Metropolitan Street Railway Company, against Robert L. Turk, a lawyer, who was arrested in May charged with libel, came to ife after a long slumber in the West Side police court yesterday afternoon before Magistrate Wahle. Turk was arrested upon his admission that he gave information to

his admission that he gave information to a newspaper upon which a story charging the company with attempting to bribe Dr. Wolfred Nelson of the Astor House was published in February.

Dr. Nelson testified denying that he ever told Turk that a railway adjuster named Purdy had attempted to bribe him to give testimony favorable to the company in a personal injury case by suggesting that he could be appointed to a vacant place on the company's medical staff. He said that such an adjuster had called for information on the case. He ordered him out of his office and then went over and told Turk, who was interested in the case, that the adjuster nterested in the case, that the adjuster

had called.

Mark Alter, who appeared for Turk, asked for an opportunity to file briefs, and an adjournment for that purpose was taken to August 7, when Magistrate Wahle will give a decision in the Tombs court.

PRESIDENT OUT IN THE RAIN. ODELL DIDN'T SAY I'LL RETIRE Wood Made So Wet That the Boys Couldn't

OTSTER BAY, N. Y., July 17.—President Roosevelt, with Archie, Quentin and their two cousins, George and Philip, got a taste of the discomforts of camp life when they made their annual over night camping trip yesterday. The party went on the Sylph, accompanied by her commander, Capt. Bulmer, and Dr. Alex Lambert. Near nightfall a landing in small boats was made at Eaton's Neck and the boys started a fire, although the wood was damp. The campers turned in early, rolling themselves in blankets on the open beach.

About midnight the rain came down in torrents and the campers awoke in a shower bath. The boys kept partly dry by crawling under the boats, which they overturned, but the President and his two older companions drew their blankets closer and braved the storm on the unprotected beach. The wood along shore was so wet as to

defy the boys' best efforts at fire building in the morning, so the breakfast on the beach was omitted. It was a wet and bedraggled party that boarded the Sylph this morning.

NOT "SOUVENIRS," BUT LOOT. President of the Crescent Athlette Club

Makes a Protest. President Charles M. Bull of the Crescent Athletic Club has published a letter headed "Souvenirs" in the regular club organ. The Crescent, dealing with thefts from the club. Recently a party of auto-mobilists visited the Bay Ridge home of the club. After leaving the automobile was upset and several of the party were thrown out, including a woman, who subsequently announced the loss of a bracelet. The club servants the following morning began a search for the bracelet and much to their astonishment found in the wreckage pieces of the club's silverware which had been taken as "souvenirs." This fact was re-ported to Mr. Bull and he had it in mind when he wrote the article referred to, which when he wrote the article referred to, which is as follows:

It has become necessary to call the serious attention of all our members to a certain pertinent and most regrettable fact concerning the club property. This is the almost incessant loss of miscellaneous articles, of small value in themselves, but amounting A proper conception of a club is that it is in a sense a second home of its members. wherein they all enjoy equal property rights but wherein, furthermore the property rights of the club in its own chattels are paramount and as sacred as the individual club member's ownership of his personal effects in his own home. It is undeniable, however, that this view is not universal. It is equally undeniable that we have suffered serious osses, as indicated, under circumstances which render it impossible that the "removal" could have been "effected" by others than certain members or their guests.

The public conscience has been wakened

by a wonderful series of recent disclosures involving prominent names in high places connected with sundry insurance companies, railroads and industries. The people found guilty of multiform grafting-to use no stronger and more specific terms-were supposed generally to be above suspicion or reproach. As a matter of fact, they were afflicted with a moral sense similar to that which allows a man, a guest or member of the club, to appropriate to himself one of the club library books, or a woman guest to take (as a souvenir, perhaps) a hand mirror or powder puff, or a table cover from the ladies' rooms at the Bay Ridge clubhouse. Such articles have been taken not once but frequently, and even the silverware of the house has not been spared by these

It is time for these practices to end abruptly The acts complained of, in law, are simply petty larceny-no less. They violate the spirit of ethics and common decency which should pervade society in its every grade. The cooperation of all members and guests in the suppression of this evil is earnestly solicited. The governing committee stands ready to do its full duty upon the submission to it of proof of the guilt of any one who as unlawfully taken its property. If the is not a sufficient deterrent recourse must and will be had to more summ ary and drastic regulations CHARLES M. BULL, President,

PRAYED FOR A YACHT AND GOT IT. Holy Ghosters Only Asked Money to Repair Old One, but New Boat Came.

LISBON FALLS, Me., July 17.—The prayers offered by the disciples of the Rev. F. W. Sandford, head of the Holy Ghost and Us Society, to raise money with which to repair the damages recently done to his yacht, the Coronet, have achieved more than ex

New York that Sandford has bought a new yacht which is larger and much more costly than the Coronet, which had been his pride. The name of the yacht and the exact amount

Ever since the Coronet ran on the rocks and was disabled at South Freeport the prayers of the disciples have been almost continuous and long fasts have been imposed.

Sandford has lately received large sums of money. Strange as it may seem, every time he is in straits for cash the cash is forth-coming from some source or other. At the time the Coronet was disabled Sandford was ready to start on another cruise to Palestine, and it is understood that he was in such haste to reach the Holy Land that

Man Who Killed His Niece, Katle Gordon, in Bonhamtown Last April.

New BRUNSWICK, July 17 -The trial of Frederick Lang, who killed his neice, Katie Gordon of Bonhamtown, on April 20, ended this evening in a verdict of murder in the first degree. The jury were out three hours. In the morning his counsel said they would offer no testimony in his defence. They had intended to introduce testimony to show

ranged person.

A letter written by Lang to his mother and intercepted at the jail changed this. The counsel for the defence believed that this letter was the strongest possible testimony for the defence, though it had been introduced by the State.

Judge Swayre in his charge said that in New Jersey nothing was known of emo-tional insanity, and that unless Lang could be shown not to know whether he was doing right or wrong the jury must consider him guilty. The fact that he ran away and the letter he wrote might properly be con-sidered in connection with this. Lang will be sentenced pext Saturday morning.

ANGRY BLOW MAY KILL.

Young Clerk's Head Struck Curb When Dis charged Elevator Boy Hit Him. Benjamin Levy is a clerk and Isidor Strumpf was an elevator boy employed by Gollands & Son, cloak dealers at 1147 Broadway. Strumpf was discharged several days ago and he blamed Levy.

The young men met at Mercer street and The young men met at mercer street and Waverley place at noon yesterday and began to quarrel. It is alleged that Strumpf landed a powerful blow on Levy's jaw, knocking him backward. The back of Levy's head struck the curb. Although an ambulance was called, Levy refused to go to a hospital. He ordered a carriage and was taken to his home at 134 Ellery street. Brooklyn. He is reported as having street, Brooklyn. He is reported as having a fracture of the skull.

Strumpf was arrested and in the Jefferson Market police court he was held in \$1,500 bail to await the result of Levy's injuries. He is 16 years old and Levy is 22.

SAYS HE DIDN'T, AND QUIGG WAS THERE WHEN HE DIDN'T.

There Senator Platt Got the Idea Not Apparent -Col. Dunn Intimates That " All the Platt Men" Won't Go Into an Anti-Higgins Coalition, If Platt Does.

It is certain that Senator Platt was steered wrong by some one when he was led to believe that if he would join in the anti-Higgins alliance B. B. Odell, Jr., would not be a candidate for reelection to the chairmanship of the Republican State committee. No sooner had the Senator confirmed the news that he had made an alliance with Odell and talked incidentally of Odell's retirement than Chairman Odell denied that he had told any one that he would not be a candidate for reelection.

Lemuel E. Quigg backed him up yesterday when he stated that Senator Platt had no ground for believing that Mr. Odell was willing to retire from the chairman-

"I was present," said Mr. Quigg," at the conference which took place between Senator Platt and Mr. Odell, and no such agreement was asked of Mr. Odell, nor was any such stipulation suggested. There were two meetings between the Senator and Mr. Odell as a matter of fact. The first was one in which Mr. Platt and Mr. Odell were alone concerned. Senator Platt wrote a note to Mr. Odell and in response to it Mr. Odell went to Highland Mills, but I understand that in the talk exchanged at that meeting there was nothing significant or even important. As a result of it, however, a second meeting was planned. I was present at that one, and speaking from a very distinct recollection of the conversation which took place I can say that not even a hint was made that Mr. Odell should ot seek to be reelected chairman of the

State committee."

Both ar. Platt and Mr. Odell and mos Both ar. Platt and Mr. Odell and most of the smaller men who have been here since the end of last week attempting to partition the Republican State machine among themselves had left the city yesterday. With their departure an impression became general that the Platt-Odell combination was not very formidable, after all, and that Senator Platt would be urable to persuade his friends to follow him into a political scheme for the marconing of Gov. Higgins. Even such a stanch Platt man as Col. George W. Dunn insisted that he had not followed Senator Platt into the Odell camp.

camp.
"I was one of those." he said, "who went down to Manhattan Beach to congratulate Senator Platt on his birthday and I met Mr. Odell on Monday, but so far as I am concerned there has been nothing in the talks I have heard tending to change the political situation. I don't know how far Senator Platt has committed himself to the coalition, but I doubt if he is as deep in it as some reports indicate. Anyway, it it as some reports indicate. Anyway, it doesn't mean that all the Platt men have gone into it too."

GOV. HIGGINS IS CHIPPER.

In Spite of the Fact That He Was Not Invited to the Harmony Gathering. ALBANY, N. Y., July 17 .- More chipper than usual Gov. Higgins to-day submitted to a bombardment of questions from the newspaper correspondents regarding his political future.

"I want to say," said he, "that I'm enirely satisfied with existing conditions." "Will there be any announcement prior to the State convention as to your attitude regarding a renomination?" the Governor

regarding a renomination?" the Governor was asked.

"There may be," he replied.
Gov. Higgins had nothing to say regarding his New York trip, except that some of his conferences there were of a semipolitical character. The Governor's engagements in New York yesterday were made before he had any knowledge of the Platt-Odell harmony meeting. The Governor said he did not receive an invitation to the harmony gathering. Senator Raines to the harmony gathering. Senator Raines came up from New York on the train with the Governor last night and called upon him

The Governor expects to be in New York again the latter part of the week, but refused to say whether he had had any communication recently with President Roosevelt though when it was suggested that the President evidently had placed an embargo on Oyster Bay, the Governor remarked that the United States mails and the telephone were still in operation.

M'CARREN SCORES AGAIN.

The Gillenites Surrender-No Peace Sight in the Second District.

Senator P. H. McCarren has still further strengthened his political props as the leader of the Kings county Democracy by putting an end to the factional strife in the new Eleventh Assembly district, which comprises a big slice of the old Fourth district. Deputy Register of Taxes James B. Bouck, who was the McCarren leader in the old Fourth and maintained control in spite of the opposition of Robert F. Gillen and his friends, has agreed to retire from the leadership and will be succeeded by Appraiser

ership and will be succeeded by Appraiser of Real Estate Thomas F. Byrnes, who made a stubborn fight for McCarren in the old Eleventh district, but was unable to depose Thomas F. Farrel.

With the advent of Mr. Byrnes to the leadership in the Eleventh district all factional strife will be ended, Mr. Gillen having called on Senator McCarren yesterday and assured him that he and his adherents would line up with the regular organization.

organization. t looks as if the Second Assembly district will be the solitary one out of the twenty-three which the anti-McCarrenites will be able to control. Judge John J. Walsh has succeeded in retaining his place as executive committeeman in spite of the efforts of the McCarrenites to depose him at the primaries and is still very hitter. enors of the McCarrentes to depose him at the primaries and is still very bitter against the Senator. The Assembly dis-trict committee and the delegates to the county committee from the district held a county committee from the district held a joint meeting on Monday night at the Tilden Club and adopted a resolution reaffirming their confidence in Judge Walsh and denouncing Senator McCarren for his refusal to recognize him in the distribution of the election patronage. Former Assemblyman John McKeown, at present Tenement House Commissioner, is Judge Walsh's chief of staff in the hot political scrimmage in the downtown district.

PLAZA HOTEL MURDER INQUIRY

Shield the Gullty Men. Fourteen witnesses were heard yesterday by Coroner Acritelli in his preliminary investigation of the murder of Michael Butler at the Plaza Hotel last week. Among those still to be called are the contractor and the superintendent of construction.

The Coroner said after the hearing that the

testimony caused him to think that some of the witnesses were trying to shield the

men accused of the murder.

"There is an awful lot of lying," said
Coroner Acritelli, "but I hope to get at the
bottom of this, anyway." bottom of this, anyway.

It is said that yesterday morning when William O'Toole and John J. Cullen, who were badly injured when Butler was killed, and who are now out of the hospital, entered the Criminal Courts Building, Cullen heard some one say, "I'd like to get a chance to kill you."

to kill you."

Nobody else who stood near would admit hearing the threat and Cullen could not point out the man who uttered it. O'Toole still reports at the hospital for treatment, while Cullen is being treated at his home. Both say they feel apprehensive for their safety. They are guarded on their way to and from the Coroner's office. Wednesday and Thursday (New York Store Only)

Men's Fine Pajamas

None was less than \$3.50 up to \$5.00

\$2.⁵⁰

HESE sales of ours for the past 30 days have been moving along with the resistless force of success. To-day it is Pajamas, superbly finished, of most approved styles, of lightest, coolest stuffs, of exquisitely, delicate self-figured designs, embroidered effects in Heliotrope, Pink, Blue, Saffron, White, etc. Military Collar, Silk Fro s. Pearl Buttons. Choice, \$2.50 instead of up to \$5.00.

Choice of Men's Finest Neglige Shirts. Two Prices.

No exaggeration to say that these are the greatest shirt values in all N. Y. Coat shirts, plain style, pleated or plain bosoms, cuffs attached, all sizes.

Shirts Regularly \$2.50 & \$2, \$1.15 Shirts Regularly \$1.50 8 \$1, 85c

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A Chance in a Decade

40 pieces special high-grade worsteds -imported to sell in our Broadway store—which was to open March I.

tess than We won't carry these suitings over - so we are going to close

IMPORTED to sell at no

12 suitings in each piece, Superb designs as yet or 480 suitings in all. unshown and uncut.

\$9 Crousers now \$5. high Class Calloring Only. Ht 119 & 121 Massan St., D. Y.

COP CAN'T RESIGN OFFHAND. Fritehman to Be Tried for Deserting His Post-Plateon Change Near.

Commissioner Bingham reappeared at Police Headquarters yesterday after his trip with Secretary Taft to Oyster Bay. He said that his visit to the President was of ne polital significance whatever and de-clared that little or nothing had been said about police matters.

The Commissioner hinted that the change in the two platoon system, on which he is working, might be expected within a few days. It is expected that the six sections now in use will be increased to nine. The Commissioner has been looking into the system used in Jersey City. Commissioner Bingham was asked if he

had accepted the resignation of Harry W. Fritchman, the patrolman of the West Sixty-eighth street station house, offered last week. Fritchman handed in his resignanation and his shield at Police Headquarters and then told the reporters why he had

"No," Commissioner Bingham replied,
"I have not accepted his resignation, because
he has violated the rules of the department."
"Will he be placed on trial?" was asked. Fritchman had given his views of police methods rather fully, so another question was put to the Commissioner.

"Do you not think that if Fritchman is

brought up on charges it will discourage other men who know something of the inner workings of the department from telling it to the Commissioner for the best interests of the department? Won't he interests of the department? be afraid to do so?" The Commissioner shook his head.
"Any man in the department may give

me information, but it must come through the proper channels," he replied. Commissioner Bingham denied that there was any animus against Fritchman. He "He left his post without being ordered to do so and before any action had been taken on his resignation. In so doing he violated the rules of the department and must stand trial."

must stand trial.

Fritchman is the policeman who was put on plain clothes work by Gen. Greene after ten days probation. When Bingham after ten days probation. When Bingham became Commissioner Fritchman was trans-ferred to the West Sixty-eighth street station house to do patrol duty.

FACTORY NOISY ON SUNDAY. Dunns Had to Trolley Ride All Day to Escape Clatter of Tin.

James Lehmaier of 153 West Seventy second street and Bernard Schwartz of 379 West Seventy-ninth street, manufacturers of tin bottles, cups and tinfoil at 208 to 215 East Twenty-second street, were arrested vesterday afternoon on a warrant issued by Magistrate Cornell, charging them with violating section 266 of the Penal Code in operating their factory on what the Penal Code calls the Sabbath. They were taken to the Yorkville court, where Magistrate Cornell is sitting, and held in

\$500 each for trial in Special Sessions. The complainant was Charles J. Dunn of 208 East Twenty-second street. His brother. Owen J. Dunn, a policeman, and his two sisters were witnesses. They testified that for a long time the factory ran night and day. Then some one got an injunction, and work was stopped at 11 P. M. since. To make up for lost time, the witnesses said, the owners recently became to walkers. the owners recently began to work on Sun-

The complaint mentioned last Sunday specifically. The noise in the factory was so great, said one of the witnesses, that the members of the family were compelled to members of the family were compelled to the family wer eave the house and spend the day trolley

"We have lived in that house forty-seven
" said the complainant. "My father we have fived in that house forty-seven years," said the complainant. "My father died in the house. My mother is sick and wants to die there, too. But if this noise doesn't cease we shall all die in the house." The lawyer for the defence said his clients didn't know their factory was running on Sunday.

Sunday.

"That's too thin," said Magistrate Cornell.

Then, turning to one of the defendants, he said: "Do you mean to tell me your factory was running on Sunday and you didn't know it?" know it?"
"Well," said the prisoner, "I may as well
tell the truth and admit that we knew the place had been running on Sunday."

Assemblyman Phillips Renominated. FRIENDSHIP, N. Y., July 17 .- The Alleghany county Republican convention in Cuba this afternoon nominated Jesse H. Phillips for a seventh term as Assemblyman. The convention also indorsed William J.
Tully of Corning for State Senator and
United States District Attorney Charles H.
Brown of Alleghany county for a Justice
of the Supreme Court in the Eighth district.

TO BREAK MRS. KEARNY'S WILL Countess de Kermel and Miss Kearny Want a Share of Cape May Property.

CAPE MAY, July 17 .- Countess de Kermel and Miss Elisabeth Kearny, daughters of Gen. Phil and Mrs. Diana Kearny, who died here early in June, have begun proceedings here to set aside the will left by their mother. Mme. de Kermel had been for many years estranged from her mother, and she returned to this country to be with her only a short time before her death. Mme. de Kermel has been for many years at war with other members of her family also, and her brother, John Watts Kearny of Washington, has refused for years to recognize her. It was her presence in Mrs. Diana Kearny's house at the time of her death that prevented John W. Kearny from

visiting his mother.

Miss Elisabeth Kearny, who was for some years a nun in France, but was compelled to retire from the order on account of her health, received \$1,000 from her mother, in addition to what she received from her father. Mme. de Kermel was not mentioned in the instrument. Mrs. Kearny's two granddaughters, the Misses Powell of Wash-

In the instrument. Mrs. Kearny's two granddaughters, the Misses Powell of Washington, came into possession of all Mrs. Kearny's real estate here, which includes a number of valuable cottages. These were deeded some years ago by Mrs. Kearny to Mrs. Powell, her favorite daughter, who had always made her home with her. Mrs. Powell died early list win'er and the property went at the death of their grandmother to her two children.

It is a share in this property that Mms. de Kermel and Miss Kearny are attempting to get. They charge that undue influence was brought to bear on their mother and that her faculties were not such as to enable her to make a will. The defence will insist that Mrs. Kearny's condition of mind was entirely normal and that she had often spoken of her intention to dispose of her property just as she did in her will. Mrs. Kearny had only a life interest in the share of the estate of Gen. Phil Kearny which went to her. The bulk of his fortune went to his son, and his mother's share also reverted to him.

SUICIDE ON GRANITE STATE. Rufus S. Case. Boatswain's Mate in the

Naval Militta, Kills Himself. Rufus Sherwood Case, an insurance proker of 75 William street, committed suicide early yesterday morning by shooting himself through the head with a .32 calibre revolver in his room on the naval reserve ship Granite State, which is tied up at the recreation pier at the foot of East Twenty-fourth street. Case, who was 39. years old and single, had lived for several years on board the vessel. He was a boatswain's mate in the State naval militia.

Case suffered from gastritis for years

and on Monday night he had an acute atand on Monday night he had an acute attack. Dr. Henry Forbes, the ship's physician, was called in to attend him. Being unable to rest, Case paced the deck until far into the night. He finally went to his cabin at 1:25 in the morning.

When Engineer Emil Hummel went to Case's cabin at 7:45 to call him to mess he got no answer to repeated knockings. When he finally broke in the door he found Case lying across the bed in his night. When he finally broke in the door he found Case lying across the bed in his night clothes. In his hand he still grasped the revolver and there was a bullet wound in his right temple. An ambulance surgeon said that he had been dead for several hours. Although the cabins adjoining Case's were occupied no one heard the shot fired.

Case's family is said to have hear wall

shot fired.
Case's family is said to have been well to do at one time, his father having been an importer of tea. Case was a member of the militia for fifteen years. For five years he was a sergeant-major of the Thirteenth Regiment in Brooklyn; for another five he was a sergeant in the Second Battery. For the past five years he had held his position on the Granite State.

SALE OF CROW HILL. Land Auctioned Off-The Old Prison to Go Next April.

The land on which the Kings County Penitentiary stands was sold at public auction yesterday in the Real Estate Exchange in Brooklyn. The purchasers will not take possession until April 11, 1907, the date fixed by the act of the Legislature

the date fixed by the act of the Legislature for the removal of the penitentiary from its present site. Comptroller Metz, under whose direction the sale was planned, was present at the auction, as was also Senator Cooper, who framed the bill for the removal of the institution.

The property was divided into 259 building lots and the total upset price was fixed at \$262.670. There were many eager buyers, and the city will realize handsomely from the sale, as the lots brought from \$800 to \$2,500 each.